



**Department of Mental Health  
Office of Community Services  
Issue Resolution Process  
MHSA Housing and Community Program Support  
October 2011  
DRAFT**

**Local Issue Resolution Principles**

Issues regarding the Mental Health Services Act (MHSA) should initially be addressed at the local level. The local process should be completed in an expedient and appropriate manner and comply with the MHSA program goals and/or statutes. General principles and processes for a local MHSA issue resolution process should be:

1. The Issue Filer has a right to bring an issue forward.
2. The issue will be reviewed by an impartial body.
3. The Issue Filer will be notified of the outcome in writing.

**How to Submit an MHSA Issue**

After the Issue Filer has exhausted their county's issue resolution process and the MHSA related issue has not been resolved to the Issue Filer's satisfaction, the following steps may be taken:

1. Submit the MHSA Issue to the Department of Mental Health (DMH) Office of Community Services at the following address:  
Department of Mental Health - Office of Community Services  
Issue Resolution Process  
1600 9<sup>th</sup> Street, Room 100  
Sacramento, CA 95814
2. The Issue Filer may also submit the MHSA issue to any of the following entities:
  - Mental Health Services Oversight and Accountability Commission (MHSOAC)
  - California Mental Health Planning Council (CMHPC)
  - Any agency and/or entity the Issue Filer feels may assist in resolving the MHSA related issue.
  - Only MHSA related issues should be referred to the DMH MHSA Issue Resolution unit.

3. The Issue Filer may authorize another person to act on their behalf in filing an MHSA issue. Due to HIPPA restrictions, DMH will be required to request a Release of Information allowing DMH to share information with all appropriate parties, including the Issue Filer's representative.
4. If DMH, due to HIPPA guidelines, does not feel sufficiently released to properly research and discuss the issue with other parties, it will attempt to make contact with the Issue Filer. If the Issue Filer does not respond within 14 business days, a second notice will be sent requesting a release. If no response is forthcoming the issue will be closed. DMH will notify all appropriate parties.

**DMH Review Process:**

1. DMH will log in each issue and begin the review process, including determining the organization responsible for addressing the issue, within 10 business days of receipt.
2. If the issue is not related to the MHSA program, regulations or statutes, the issue will be referred to other resources such as Patient Rights, Ombudsmen, Medi-Cal, or other State and local resources. No further DMH Office of Community Services Issue Resolution Process action will be taken. DMH will send a confirmation letter to the Issue Filer summarizing the status and disposition of their issue.
3. DMH will contact appropriate parties or entities copied in the initial letter/email from the Issue Filer and advise of status.
4. If the MHSA issue appears to be related to the MHSA program, regulations or statutes, DMH will contact the Issue Filer to obtain further information. During this time DMH may ask for documentation that the county issue resolution process was accessed and exhausted at the local level. If the local MHSA issue resolution process was not accessed and exhausted, DMH will refer the Issue Filer back to their county to address the MHSA issue. The Issue Filer has the right to request anonymity. If this request is made, DMH will continue to pursue a resolution with the appropriate parties, with the understanding that this may limit DMH's effectiveness in resolving the MHSA issue.
5. DMH will contact the county and obtain the case status regarding the MHSA issue. DMH will review the county's response and determine whether the county's action and their response to resolving the issue was consistent with the MHSA program, regulations or statutes.
6. If the county's response to the MHSA issue is consistent with the MHSA program, regulations or statutes, DMH will send a summary letter stating this determination to the Issue Filer, the county, and those copied in the initial letter/email from the Issue Filer. At this point, DMH has fulfilled its responsibilities and considers the issue resolution process complete.

- If the Issue Filer disagrees with DMH's determination, the Issue Filer will be urged to seek remedy through their local county mental health board. In addition, DMH would reserve the right to contact the MHSOAC to request county technical assistance regarding this specific MHSA issue.
7. If DMH determines that the activity by the County was inconsistent with the MHSA program, regulations or statutes, DMH will contact the Issue Filer, the county, the MHSOAC, and the local county mental health board to notify each of DMH's determination. DMH may participate as appropriate to help resolve the issue.
- At the end of each issue resolution process, DMH will close the log with the appropriate outcome.